

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company (E 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs.	Application 00-11-038 (Filed November 16, 2000)
Emergency Application of Pacific Gas and Electric Company to Adopt a Rate Stabilization Plan. (U 39 E)	Application 00-11-056 (Filed November 22, 2000)
Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527.	Application 00-10-028 (Filed October 17, 2000)

**ADMINISTRATIVE LAW JUDGE'S RULING  
REGARDING COMMENTS ON THE  
ALTERNATE DRAFT DECISION OF COMMISSIONER KENNEDY**

On August 21, 2003, the alternate draft decision of Commissioner Kennedy to the draft decision of administrative law judge John S. Wong, was electronically transmitted to the service list. As part of the electronic transmission, an unsigned cover letter dated August 21, 2003, stated that the alternate draft decision "will appear on the Commission's September 4, 2003 agenda." The letter also stated that: "Parties to the proceeding may file comments on the draft decision as provided in Article 19 of the Commission's 'Rules of Practice and Procedure.' "

The hard copy of the alternate draft decision of Commissioner Kennedy was mailed out to the service list on August 22, 2003. At the top of the first page

of the alternate draft decision, it was noted that the alternate draft decision had been “E-Mailed 8/21/2003 – Hard Copy Mailed 8/22/03.” The signed cover letter which accompanied the hard copy was dated August 22, 2003, and also stated that: “Parties to the proceeding may file comments on the draft decision as provided in Article 19 of the Commission’s ‘Rules of Practice and Procedure.’ ”

Rule 77.7(b) provides that “Rule 77.6 governs comments and replies to comments on alternates to draft decisions other than resolutions.” Rule 77.6(d) provides in pertinent part that: “If the alternate is served less than 30 days, but at least 14 days, before the Commission meeting at which the proposed decision is scheduled to be considered, parties may file comments on the alternate at least seven days before the Commission meeting.”

Since the alternate draft decision of Commissioner Kennedy was electronically served on the service list on August 21, 2003, the time for filing comments on the alternate draft decision shall be as provided for in Rule 77.6(d). Thus, parties may file comments on the alternate draft decision at least seven days before the Commission meeting, i.e., on or before August 28, 2003. Reply comments are governed by Rule 77.5, and shall be filed on or before September 2, 2003.

Therefore, **IT IS RULED** that due to the electronic service of the alternate draft decision of Commissioner Kennedy on the service list on August 21, 2003, opening comments on the alternate draft decision shall be filed with the Docket Office on or before August 28, 2003, and reply comments shall be filed on or before September 2, 2003.

Dated August 26, 2003, at San Francisco, California.

/s/ JOHN S. WONG

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John S. Wong  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Regarding Comments on the Alternate Draft Decision of Commissioner Kennedy on all parties of record in this proceeding or their attorneys of record.

Dated August 26, 2003, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.